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Attorneys for Defendant
JOE ROBERTS

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	Case No. 2:20-mj-00173-KJN
)	
Plaintiff,)	MEMORANDUM TO CONTINUE STATUS
)	HEARING
vs.)	
)	Hearing date: August 20, 2021
JOE ROBERTS,)	Time: 2:00 p.m.
)	Judge: The Honorable Kendall J. Newman
Defendant.)	
)	
)	

Mr. Joe Roberts, by and through undersigned counsel, requests that his status hearing set for August 20, 2021, be continued to November 5, 2021, for the following reasons:

1. Mr. Roberts is pending sentencing in the Central District of California [2:13-cr-751-TJH-1.] He was arrested on a warrant in the Eastern District of California and remains detained at the Sacramento County Jail. The case has been transferred to the Central District pursuant to Federal Rule of Criminal Procedure 5, but the Court has not issued a transport order at this time on the basis of the Central District Court order described below.
2. The District Court in the Central District, based on the parties stipulation there, has ordered that Mr. Roberts remain in custody in Sacramento so that he can appear remotely for court proceedings in the Central District [2:13-cr-751-TJH-1, Dkt. 487]. The Order reflects that the reason for the Court's order is "logistical issues associated

1 with his transport during the pandemic, made all the more difficult by the fact he is
2 wheelchair-bound,” and given that he may waive his personal appearance and appear
3 virtually pursuant to the CARES Act, unnecessary transportation presents a risk to his
4 health.

5 3. On August 16, 2021, the Central District Court continued the sentencing to November
6 1, 2021, on its own motion [2:13-cr-751-TJH-1, Dkt. 494]. The Attorney for Mr.
7 Roberts in the Central District has informed counsel that the parties there are working
8 toward the sentencing and requests more time for that to be accomplished.

9 4. The Assistant United States Attorney in the Eastern District of California, Vincenza
10 Rabenn, does not object to this continuance of status based upon the Central District
11 Court’s order and the parties’ need for more time there.

12 5. If Mr. Roberts is sentenced prior to November 5, 2021, the parties will vacate this
13 hearing.

14 Wherefore, it is requested that this Court continue the status hearing currently scheduled
15 for August 20, 2021, be continued to November 5, 2021 at 2:00 p.m. before Magistrate Judge
16 Carolyn K. Delaney.

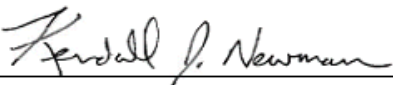
17
18 Respectfully submitted,

19
20 Dated: August 19, 2021

21 /s/ Lexi Negin
22 LEXI NEGIN
23 Assistant Federal Defender
24 Attorney for Defendant

25 IT IS SO ORDERED,

26 Dated: August 19, 2021

27 
28 KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE